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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Larry E. Mathias

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09/27/2004

EXAMINER

LEE, MICHAEL

John M Lazarus

Foley & Lardner

Firststar Center

777 East Wisconsin Avenue

Miwaukee, WI 53202-5367

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/868,536	MATHIAS ET AL.	
	Examiner	Art Unit	
	M. Lee	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 35-55 is/are allowed.
- 6) ☒ Claim(s) 1-6, 24, 25, 27, 32 and 33 is/are rejected.
- 7) ☒ Claim(s) 7-23, 26, 28-31 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/24/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 28, "said bezel" lacks proper antecedent basis.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 24, 25, 27, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vitito (5,775,762) in view of Soeters (5,106,143), further in view of Adams et al. (6,380,978).

Regarding claim 1, Vitito shows a housing (11), a screen console (22), and a video source (28), except the latch mechanism as claimed. Soeters, from the similar field endeavor, teaches such latch mechanism (40). By using such latch mechanism, an object can be securely attached to another object. Since the LCD monitor 22 in

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Vitito is subjected vibration being pulled by gravity constantly, it would eventually fall out from its closed position even it is held on by the frictional hinge 19. In order to prevent such incident from happening, the LCD monitor must be held securely at its closed position. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the latch mechanism of Soeters into Vitito so that that the LCD monitor would not fall out from its closed position. Although the video source in Vitito is a video cassette player, he teaches that it could be any other conventional video source (col. 4, line 21). Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a DVD player, such as disclosed by Adams, into Vitito to perform the well known functions as claimed.

Regarding claim 2, Vitito does not specify the stand as claimed. Adams, from the similar field of endeavor, teaches such stand (note Figure 2E). By using such stand, the LCD display not only can be used in a mobile environment but can also be used on any stationary desk or table. It actually enhances the versatility of the system. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the stand of Adams into Vitito so that the LCD display could be used in different environment.

Regarding claim 3, see pivotal hinge 19 in Vitito.

Regarding claim 4, Vitito inherently includes audio connectors.

Regarding claim 5, Vitito shows a control panel 32.

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Regarding claim 6, Vitito does not specify the remote control device as claimed. The examiner takes Official Notice that using remote control for remotely control an electronic device is well known in the art for its convenience. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a remote control device into Vitito to perform the well known functions as claimed.

Regarding claims 24 and 25, the claimed released buttons are met by latch mechanism 40 in Soeters. The latch mechanism could be used to hold the LCD/DVD player of Adams.

Regarding claim 27, Vitito shows a LCD display.

Regarding claims 32 and 33, the dvd player and LCD display in Adams meet the limitations as claimed.

Allowable Subject Matter

5. Claims 35-55 are allowed.
6. Claims 7-23, 26, 28-31 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: Prior art does not teach or suggest the video player unit being releasably attached to the screen console as recited in claim 7, the housing panel, the screen console releasably attached to the housing panel as recited in claim 35, the means for

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moving the video player unit from a closed position to an open position when the video player unit is attached to the housing, and the means for releasably maintaining the video player unit in the closed position when the video player unit is attached to the housing as recited in claim 55.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rosen (5,946,055) shows a vehicle display unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number is **703-305-4743**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached at **703-305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



M. Lee
Primary Examiner
Art Unit 2614

September 14, 2004